

ORDINANCE NO. 2021- BCCO-_____

**BOARD OF COMMISSIONERS OF HOWARD COUNTY
ORDINANCE CONCERNING SOLAR ENERGY SYSTEMS**

WHEREAS, the Howard County Board of Commissioners has deemed it necessary and advisable to promote the general health, safety and welfare of the county by adopting and implementing an ordinance providing for the requirements for solar energy systems.

WHEREAS, the purpose of this ordinance is to establish the minimum requirements for the development, construction, maintenance, and decommissioning of solar energy systems in Howard County, Indiana.

NOW, THEREFORE, IT IS HEREBY ORDAINED:

I. Scope- This article applies to all solar energy systems installations in Howard County, Indiana.

II. Purpose: This Ordinance provides for the implementation of solar energy systems in Howard County, which convert the power of the sun into the generation of electricity. Howard County finds that it is in the public interest to regulate the use and development of renewable energy systems. Howard County supports the use of solar energy collection systems, and the regulations found in this Ordinance are not intended to severely limit the placement of solar energy systems in Howard County. The regulations in this Ordinance are intended to consider the unique needs of solar energy systems and to provide for the most efficient use of this type of renewable energy system. This Ordinance is also intended to protect the character of residential neighborhoods and commercial corridors, as well as to insure that solar energy systems are placed and constructed in such a way that is harmonious and beneficial to agricultural property.

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III. Definitions

Agrivoltaics – A solar energy system co-located on the same parcel of land as agricultural production, including crop production, grazing, apiaries, or other agricultural products or services.

Building-integrated Solar Energy Systems – A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building-integrated systems include, but are not limited to, photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awning.

Community-Scale Solar Energy System – A commercial energy system that provides retail electric power (or a financial proxy for retail power) to multiple community members or businesses residing or located off-site from the location of the solar energy system.

Grid-tied Solar Energy System- A photovoltaic solar energy system that is connected to an electric circuit served by an electric utility company.

Ground-Mounted- A solar energy system mounted on a rack or pole that rests or is attached to the ground. Ground-mounted systems can be either accessory or principal uses.

Large-Scale Solar Energy System – A commercial solar energy system that converts sunlight into electricity for the primary purpose of wholesale sales of generated electricity. A large-scale solar energy system will have a project size greater than 10 acres. It can include collection and feeder lines, substations, ancillary buildings, solar monitoring stations and accessory equipment or structures thereto,

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that capture and convert solar energy into electrical energy, primarily for use in locations other than where it is generated.

Off-grid Solar Energy System- A photovoltaic solar energy system in which the circuits energized by the solar energy system are not electrically connected in any way to electric circuits that are served by an electric utility company.

Passive Solar Energy System- A solar energy system that captures solar light or heat without transforming it to another form of energy or transferring the energy via a heat exchanger.

Photovoltaic System- A solar energy system that converts solar energy directly into electricity.

Pollinator-Friendly Solar Energy- A community- or large-scale solar energy system that meets the requirements of the 2020 Indiana Solar Site Pollinator Habitat Planning Scorecard developed by the Purdue University or another pollinator-friendly checklist developed by a third-party as a solar-pollinator standard designed for Midwestern ecosystems, soils, and habitat.

Renewable Energy Easement, Solar Energy Easement- An easement that limits the height or location, or both, of permissible development on the burdened land in terms of a structure or vegetation, or both, for the purpose of providing access for the benefited land to wind or sunlight passing over the burdened land.

Roof-Mounted -A solar energy system mounted on a rack that is fastened to or ballasted on a structure roof, Roof-mounted systems are accessory to the principal use.

Roof Pitch – The final exterior slope of a roof calculated by the rise over the run, typically but not exclusively expressed in twelfths such as 3/12, 9/12, 12/12. **Solar Access-** Unobstructed access to direct sunlight on a lot or building through the entire

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year, including access across adjacent parcel air rights, for the purpose of capturing direct sunlight to operate a solar energy system.

Solar Carport- A solar energy system of any size that is installed on a carport structure that is accessory to a parking area, and which may include electric vehicle supply equipment or energy storage facilities.

Solar Collector- A device, structure or a part of a device or structure for which the primary purpose to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy. The collector does not include frames, supports, or mounting hardware.

Solar Daylighting- Capturing and directing the visible light spectrum for use in illuminating interior building spaces in lieu of artificial lighting, usually by adding a device or design element to the building envelope.

Solar Energy- Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

Solar Energy System- A device, array of devices, or structural design feature, the purpose of which is to provide for generation or storage of electricity from sunlight, ore the collection, storage, and distribution of solar energy for space heating or cooling, daylight for interior lighting, or water heating.

Solar Hot Air System – (also referred to as Solar Air Heat or Solar Furnace) A solar energy system that includes a solar collector to provide direct supplemental space heating by heating and re-circulating conditioned building air. The most efficient performance includes a solar collector to preheat air or supplement building space, typically using a vertically mounted collector on a south-facing wall. **Solar Hot Water System (also referred to as Solar Thermal)-** A system that includes a solar collector and a heat exchanger that heats or preheats water for building heating

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systems or other hot water needs, including residential domestic hot water and hot water for commercial processes.

Solar Mounting Devices- Racking, frames, or other devices that allow the mounting of a solar collector onto a roof surface or the ground.

Solar Resource- A view of the sun from a specific point on a lot, or building that is not obscured by any vegetation, building, or object for a minimum of four hours between the hours of 9:00 AM and 3:00 PM Standard time on all days of the year, and can be measured in annual watts per square meter.

Solar-Ready Design- The design and construction of a building that facilitates and makes feasible the installation of rooftop solar.

IV. Design Standards for Permitted Accessory Use

Solar energy systems may be a permitted accessory use in all zoning districts where structures of any sort are allowed, subject to certain requirements as set forth below, and subject to such agreements reached or conditions imposed by the Board of Zoning Appeals and/or the county executive. Solar carports and associated electric vehicle charging equipment are a permitted accessory use on surface parking lots in all districts regardless of the existence of another building.

A. Height- Solar energy systems must meet the following height requirements:

1. Building or roof-mounted solar energy systems shall not exceed the maximum allowed height in any zoning district. For purposes of height measurement, solar energy systems other than building-integrated systems shall be given an equivalent exception to height standards as building-mounted mechanical devices or equipment.
2. Ground or pole-mounted solar energy systems shall not exceed 15 feet in height when oriented at maximum tilt.

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3. Solar carports in non-residential districts shall not exceed 20 feet in height.

B. Setback – Solar energy systems must meet the accessory structure setback for the zoning district and principal use associated with the lot on which the system is located, as allowed below.

1. Roof or Building-mounted Solar Energy Systems- The collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built, unless the collector and mounting system has been explicitly engineered to safely extend beyond the edge, and setback standards are not violated. Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side yard exposure. Solar collectors mounted on the sides of buildings and serving as awnings are considered to be building-integrated systems and are regulated as awnings.

2. Ground-mounted Solar Energy Systems- Ground-mounted solar energy systems may not extend into the side-yard or rear setback when oriented at minimum design tilt, except as otherwise allowed for building mechanical systems.

C. Visibility- Solar energy systems in residential districts shall be designed to minimize visual impacts from the public right-of-way, as described in C.1-3, to

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the extent that doing so does not affect the cost or efficacy of the system,
consistent with Indiana Code 36-7-2-8.

- 1. Building-integrated Photovoltaic Systems-** Building integrated photovoltaic solar energy systems shall be allowed regardless of whether the system is visible from the public right-of-way, provided the building component in which the system is integrated meets all required setback, land use or performance standards for the district in which the building is located.
- 2. Aesthetic restrictions-** Roof-mounted or ground-mounted solar energy systems shall not be restricted for aesthetic reasons if the system is not visible from the closest edge of any public right-of-way other than an alley if the system meets the following standards.
 - a.** Roof-mounted systems on pitched roofs that are visible from the nearest edge of the front right-of-way shall have the same finished pitch as the roof and be no more than ten inches above the roof.
 - b.** Roof-mounted systems on flat roofs that are visible from the nearest edge of the front right-of-way shall not be more than five feet above the finished roof and are exempt from any rooftop equipment or mechanical system screening.

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3. Reflectors- All solar energy systems using a reflector to enhance solar production shall minimize glare from the reflector affecting adjacent or nearby properties.

D. Lot Coverage- Ground-mounted systems shall not be subject to the existing lot coverage restrictions for the zoning district.

E. Historic Buildings – Solar energy systems on buildings within designated historic districts or on locally designated historic buildings (exclusive of State or Federal historic designation) must receive approval of the local Historic Preservation Commission, or equivalent consistent with the standards of solar energy systems on historically designated buildings published by the U.S. Department of the Interior.

F. Approved Solar Components- Electric solar energy system components must have an Underwriters Laboratory (UL) or equivalent listing and solar hot water systems must have a Solar Rating & Certification Corporation (SRCC) or equivalent rating.

G. Compliance with Building Code- All solar energy systems shall meet approval of local building code officials, consistent with the State of Indiana Building Code, and solar thermal systems shall comply with HVAC- related requirements of the Energy Code.

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- H. Compliance with State Electric Code-** All photovoltaic systems shall comply with the Indiana State Electric Code.
- I. Compliance with State Plumbing Code-** Solar thermal systems shall comply with applicable Indiana State Plumbing Code requirements.
- J. Compliance with County Requirements.** Prior to commencement of construction, an applicant shall obtain necessary county approvals including approval by the county Drainage Board as to project drainage, and shall be subject to agreements required by the county executive, including but not limited to, Road Use, Economic Development, Drainage, Stormwater, and Decommissioning/Reclamation agreements. Any applicant shall further endeavor and is expected to reach “good neighbor” agreements with property owners affected by and/or committed to the solar system installation.
- K. Utility Notification-** Where applicable, it is recommended that the interconnection application be submitted to the utility prior to applying for required permits. Grid-tied solar energy systems shall comply with interconnection requirements of the applicable regional transmission organization. Off-grid systems are exempt from this requirement.

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- L. Well-testing-** Any County resident within ½ mile of the solar project may request well-testing at the start of the project and within thirty (30) days after completion of the project, with the cost of the testing borne by the solar energy company.
- V. Principal Uses.** Howard County encourages the development of commercial or utility scale solar energy systems where such systems present few land usage conflicts with current and future development patterns.

A. Principal Use General Standards

1. Site Design

- a. Setbacks-** Community – and large-scale solar arrays must meet the following setbacks:
- i. Property line setback from a non-participating landowner's property line must meet the established setback for buildings or structures in the district in which the system is located, except as otherwise determined in 1.a.6 below.
 - ii. Property line setbacks between separate parcels both of which are participating in the project may be waived upon agreement of the landowner(s).

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- iii. Roadway setback of 50 feet from the ROW of State highways and County and State Aid Highways (CSAHs), and 40 feet for other roads, except as otherwise determined in 1.a.6 below.
- iv. Housing unit setback of 300 feet from any existing dwelling unit of a non-participating landowner, except as otherwise determined in 1.a.6 below, and a minimum of 100 feet from the property line of any non-participating landowner. Participating landowner housing must meet building setbacks for the district in which the project is located.
- v. Setback distance should be measured from the edge of the solar energy system array, excluding security fencing, screening, or berm.
- vi. An individual landowner within the project may waive by written agreement the setback applicable to the landowner's property; however, setbacks can be reduced by no more than 50%. Any un-waived setback cannot be less than 30 feet, if the array has a landscape buffer that screens the array at the setback point of measurement.

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- b. Screening-** Community- and large-scale solar energy systems shall be screened or buffered from adjacent existing residential dwellings. A buffering plan shall be approved so long as the buffer meets existing county standards.
- i. A landscape plan shall be submitted that identifies the type and extent of proposed buffer and screening. Vegetation or another type of buffer can be proposed. Any vegetation screening such as pine trees or similar plantings shall be four feet high at the time of planting and shall be spaced no more than 8 feet apart.
 - ii. Screening shall be consistent with Howard County's screening and ordinance or standards typically applied for other and uses requiring screening.
 - iii. Screening shall not be required along highways or roadways, except as provided in 4. below or along property lines within the same zoning district, except where the adjoining lot has an existing residential use.
 - iv. Howard County may require screening where it determines there is a clear community interest in maintaining a viewshed.
- c. Height –** Large- and community-scale and solar energy systems shall not exceed 20 feet. This height restriction does not apply to any building

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constructed for maintenance or operations purposes. Installation shall not be located so as to interfere with existing satellite television, cell phone and/or internet service.

d. Ground cover and buffer areas- Community-or largescale ground-mounted solar energy systems are required to adhere to the following standards. Additional site-specific conditions may apply as required by Howard County.

- i. Ground around and under solar panels and in project site buffer areas shall be planted, established, and maintained for the life of the solar project in perennial vegetated ground cover.
- ii. To the maximum extent feasible for site conditions, perennial vegetation ground cover shall be based on a diverse seed mix of native species consistent with guidance specific to the local area provided by the Soil and Water Conservation District office or the Indiana Native Plant Society.

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- iii. The owner/operator shall demonstrate site maintenance that is intended to remove invasive or noxious species, as listed by the Indiana Invasive Species Council, without harming perennial vegetation.
- iv. No insecticide use is permitted on the site. This provision does not apply to insecticide or herbicide use on in-site buildings, in and around electrical boxes, spot control of noxious weeds, or as otherwise may be deemed necessary to protect public health and safety.
- v. Plant material must not have been treated with systemic insecticides, particularly neonicotinoids.
- vi. Community- or – large-scale ground-mounted solar energy systems that propose to install, establish, and maintain pollinator-friendly vegetative cover are to demonstrate the quality of the habitat by using guides such as Purdue University 2020 Indiana Solar Site Pollinator Habitat Planning Scorecard, or other third party solar-pollinator scorecards designed for Midwestern eco-systems, soils and habitats.

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- vii. Projects certified and maintained as pollinator-friendly compliant may be exempt from landscaping requirements and post-construction stormwater management controls (as stated in Section V.A.2. below), subject to any agreement reached, and subject to any special conditions imposed by the county executive, the plan commission or the Board of Zoning Appeals.
- viii. **Foundations-** A qualified and licensed engineer shall certify prior application for building permits, that the foundation and design of the solar panel racking and support is within accepted and professional standards, given local soil and climate changes.

f. Power and communication lines-

- i. Power and communication lines running between banks of solar panels and to nearby electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by Howard County in instances where shallow bedrock, water courses, or other elements of the

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natural landscape interfere with the ability to bury lines, or distance makes undergrounding infeasible, at the discretion of the zoning administration.

- ii. Power and communication lines between the project and the point of interconnection with the transmission system can be overhead, subject to approval of the county plan director.

g. Fencing- Except for the perimeter of a substation, **p**erimeter fencing for the site shall not include barbed wire or woven wire designs and shall preferably use wildlife-friendly fencing standards that include clearance at the bottom. No wood fencing shall be permitted, although wooden poles may be used with wire fencing. Alternative fencing can be used if the site is incorporating agrivoltaics. All such fencing shall be at a minimum height of 7 feet in accordance with federal law.

h. Lighting. Any lights installed anywhere within the project footprint shall not extend lighting more than 50 feet beyond the boundaries of the footprint.

i. All applicants, prior to installation of any solar panels, shall provide to the county plan commission proof that the arsenic and lead levels of the panels to be installed comply with current EPA standards.

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- j.** All applicants are required to provide, at the applicant's expense, within the first 60 days after installation of solar panels, training for local first responders concerning solar panel hazards and corresponding safety measures, and copies of Material Safety Data Sheets.

2. Stormwater and NPDES – Large- and community-scale solar projects are subject to Howard County's stormwater management and erosion and sediment control provisions and Nonpoint Pollution Discharge Elimination System (NPDES) permit requirements. **Other standards and codes-** All large- and community-scale solar projects shall comply with all applicable local, state and federal regulatory codes, including the State of Indiana Uniform Building Code, as amended; and the National Electric Code, as amended.

3. Site Plan Required- The applicant shall submit a detailed site plan for both existing and proposed conditions, showing locations of all solar arrays, other structures, property lines, right-of-way, service roads, floodplains, wetlands, and other protected natural resources, topography, electric equipment, and all other characteristics requested by Howard County. The site plan should show all zoning districts and overlay districts.

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- 4. Aviation Protection-** For large-and community-scale solar projects located within 500 feet of an airport or within approach zones of an airport, the applicant must complete and provide the results of a glare analysis through a qualitative analysis of potential impact, field test demonstration, or geometric analysis of ocular impact in consultation with the Federal Aviation Administration (FAA) Office of Airports, consistent with the Interim Policy, FAA Review of Solar Energy Projects on Federally Obligated Airports, or most recent version adopted by the FAA.
- 5. Agricultural Protection-** Large- and community-scale solar energy projects must comply with Howard County's site assessment standards for identifying agriculture soils. Howard County may require mitigation for use of prime soils for solar array placement, including the following:
- a.** Demonstrating co-location of agricultural uses (agrivoltaics) on the project site.
 - b.** Using an interim use or time-limited Conditional Use Permit (CUP) that allows the site to be returned to agriculture at the end of life of the solar installation.
 - c.** Locating the project in a wellhead protection area for the purpose of removing agricultural uses from high-risk recharge areas.

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d. Using pollinator-friendly ground cover, as identified in Section III.

6. Decommissioning- A decommissioning agreement shall be required to ensure that facilities are properly removed after their useful life. The agreement shall include, but is not limited to, the following terms:

a. Decommissioning and Removal. Any ground-mounted solar energy system which has reached the end of its useful life or has been abandoned shall be removed by the owner. The owner or operator shall physically complete removal of the installation no more than 180 days after the date of discontinued operations, or by a time-frame determined by the Plan Director for extenuating circumstances. Decommissioning shall consist of:

- i. Physical removal of all solar energy system structures and equipment from the site;
- ii. Disposal of all solid and hazardous waste in accordance with local, state, and federal disposal regulations; and
- iii. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Plan Director or the county executive may enter into an agreement to allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and

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disruption to vegetation. However, a Stormwater permit is required for any disturbance over 1 acre in area.

- B. Abandonment. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the ground-mounted solar energy system shall be considered abandoned when it fails to operate for more than one year without the written consent of the Plan Commission Director.
- C. Right to remove. If the owner or operator of the ground-mounted solar energy system fails to remove the installation in accordance with the requirements of this section within 90 days of abandonment or the proposed date of decommissioning, Howard County retains the right, after receipt of an appropriate court order, to enter and remove an abandoned, hazardous, or decommissioned ground-mounted solar energy system. As a condition of issuance of an improvement location permit, the applicant and the landowner agree to allow entry to remove an abandoned, hazardous, or decommissioned installation.
- D. Security fund. Any owner of a ground-mounted solar energy system over 1,000 square feet in panel area shall, on the fifth (5th) anniversary of the date of commercial operation of the solar project, establish a cash

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security fund, bond, irrevocable letter of credit or other means to secure the payment of removing any abandoned solar energy system, including the solar panels and associated equipment and any buildings that have been determined to be abandoned or found to be in non-compliance with this Ordinance, and to provide Howard County a fund from which to deduct fines and penalties for non-compliance with this Ordinance or other applicable laws in the lesser of: (a) the amount of 125% of the Removal Cost, which shall be the cost of demolition and removal of the solar energy system based upon a licensed engineer's estimate of the cost of removal and demolition, less salvage value; or (b) the Removal Cost plus One Hundred and Fifty Thousand Dollars (\$150,000.00). Any reduction in the security fund provided, because of fines, penalties, or removal costs, shall be replenished to the total of the required amount within 30 days after notice from Howard County of the amount deducted and the deficiency created thereby. Within a reasonable period of time, not to exceed 3 months after the solar energy system is removed, any remaining funds on deposit with Howard County pursuant to this Ordinance shall be refunded to the appropriate owner who created the security fund.

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- i. Decommissioning of the system must occur in the event the project does not produce power for 6 consecutive months. An owner may petition the county executive for an extension of this period upon showing of reasonable circumstances that have cause the delay in the start of decommissioning.
- ii. The plan shall include provisions for removal of all structures and foundations to a depth of 48”, restoration of soil and vegetation and assurances that financial resources will be available to fully decommission the site.
- iii. Disposal of structures and/or foundations shall meet the provisions of the Howard County Solid Waste Ordinance. All solar panels are to disposed of at a site certified for disposal of solar panels.
- iv. Howard County may require the posting of a bond, letter of credit, parent guarantee, or other financial surety to ensure proper decommissioning.
- v. The value of the decommission bond or letter of credit should consider the salvage value of the solar equipment.
 - a. Any decommissioning agreement shall be subject to review every 5 years to ensure the bonding amount will cover costs of

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decommissioning, and the bonding requirements shall be
adjusted accordingly.

- vi. **Community-Scale Solar-** Howard County permits the development
of

community-scale solar, subject to the following standards and requirements.

- g. Rooftop shared solar systems permitted-** Rooftop systems are
permitted in all districts where buildings are permitted.

- h. Community-scale uses-** Ground-mounted community-scale solar
energy systems must cover no more than ten acres (project
boundaries), and are a permitted use in industrial and agricultural
districts, and permitted with standards or conditional in all other non-
residential districts. Ground-mounted solar developments covering
more than ten acres shall be considered large-scale solar.

- i. Dimensional standards-** All structures must comply with setback and
height standards for the district in which the system is located.

- j. Other standards-** Ground-mounted systems must comply with all
required standards for structures in the district in which the system is
located.

- k. Large-Scale Solar-** Ground-mounted solar energy arrays that are the
principal use on the lot are permitted under the following standards:

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VI. Special Exception Permit

Large- and community-scale solar energy projects are special exception uses in agricultural districts, industrial districts, shoreland and floodplain overlay districts, airport safety zones subject to Section VIII of this ordinance, and in the landfill/brownfield overlay district for sites that have completed remediation. The plan commission shall issue any such conditional use permits. Any such permit shall not be revoked during the life of the project as long as the project remains in compliance with the standards set forth in this ordinance.

VII. Renewable Energy Condition for Certain Permits

A. Condition for Planned Unit Development (PUD) Approval- Howard County may require on-site renewable energy systems, zero-net-energy (ZNE) or zero net-carbon (ZNC) building designs, solar-synchronized electric vehicle charging or other clean energy systems as a condition for approval of a PUD permit to mitigate for:

1. Impacts on the performance of the electric distribution system,
2. Increased local emissions of greenhouse gases associated with the proposal,

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3. Need for electric vehicle charging infrastructure to offset transportation-related emissions for trips generated by the new development, and

4. Other impacts of the proposed development that are inconsistent with the Howard County Comprehensive Plan.

B. Condition for Conditional Use Permit- Howard County may require on-site renewable energy systems or zero net energy construction as a condition for a rezoning or a conditional use permit.

VIII. Solar Roof Incentives

Howard County encourages incorporating on-site renewable energy system or zero net energy construction for new construction and redevelopment. Howard County may require on-site renewable energy or zero net- energy construction when issuing a conditional use permit where the project has access to local energy resources, in order to ensure consistency with Howard County's plan to reduce greenhouse gas emissions.

A. Density Bonus- Any application for subdivision of land in the Districts that will allow the development of at least four (4) new lots of record shall be allowed to increase the maximum number of lots by 10% or one lot, whichever is greater, provided all building and wastewater setbacks can be met with the increased

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density, if the applicant enters into a development agreement guaranteeing at least three (3) kilowatts of PV for each new residence that has a solar resource.

B. Solar-Ready Buildings- Howard County encourages builders to use a solar-ready design in buildings. Buildings that submit a completed U.S. EPA Renewable Energy Ready Home Solar Photovoltaic Checklist (or other approved solar- ready standard) and associated documentation will be certified as a Howard County solar ready home and be eligible for low-cost financing through Howard County's Economic Development Authority. The designation will be included in the home's permit history.

C. Solar Access Variance- When a developer requests a variance from Howard County's subdivision solar access standards, the zoning administrator may grant an administrative exception from the solar access standards provided the applicant meets the conditions of 1. and 2. below.

1. Solar Access Lots Identified- At least 20% of the lots, or a minimum number of lots to be determined by Howard County.

2. Covenant Assigned- Solar access lots are assigned a covenant that homes built upon these lots must include a solar energy system. Photovoltaic systems must be at least three (3) KW in capacity.

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D. Additional Fees Waived- Howard County may waive any additional fees for
filing of the covenant.

**READ AND ADOPTED BY THE HOWARD COUNTY BOARD OF
COMMISSIONERS THIS ____ DAY OF _____ 2021.**

**BOARD OF COMMISSIONERS OF
HOWARD COUNTY, INDIANA**

ATTEST:

Paul G. Wyman, President

Robert B. Bray, Member

Jessica Secrease, Auditor

Jack Dodd, Member
